

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
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JUDICIAL PERFORMANCE COMMISSION ISSUES PUBLIC ADMONISHMENT OF
JUDGE ALEXANDER H. WILLIAMS, III

The Commission on Judicial Performance has publicly admonished Judge Alexander H. Williams, III of the Los Angeles County Superior Court. The admonishment is attached.

The Commission is composed of six public members, three judges and two lawyers. The Chairperson is the Honorable William A. Masterson of the Court of Appeal, Second Appellate District in Los Angeles.

PUBLIC ADMONISHMENT OF JUDGE ALEXANDER H. WILLIAMS, III

The Commission on Judicial Performance has ordered Judge Alexander H. Williams, III publicly admonished for improper action within the meaning of Article VI, section 18(d) of the California Constitution and Commission Rule 115, as set forth in the following statement of facts and reasons found by the commission.

On November 17, 1995, Judge Alexander H. Williams used profanity, made a vulgar gesture and threatened retaliation toward counsel in a case pending before the judge. In the case of *Rico v. Nunez*, during a break in a pretrial settlement conference, Judge Williams left the courtroom and approached attorney Gilberto Moreno, representing cross-complainant and cross-defendant Los Angeles County Chicano Employees Association, in the hallway outside the entrance to the courtroom, where others were present and observed Judge Williams' conduct. Using a loud and angry voice, Judge Williams stated words to the effect of: "Your demand for money is bullshit...If you keep making this demand, you can stick it right here," while gesturing toward his buttocks with rolled up paper. Some of the plaintiffs were seated behind attorney Moreno when the judge made his remarks and gesture. The attorney for plaintiffs, Rees Lloyd, then arrived and Judge Williams repeated to him that the demand for money was "bullshit." Judge Williams returned to the courtroom, followed by attorneys Moreno and Lloyd. Entering the bar area, Judge Williams turned, pointed to Mr. Lloyd, who was in the gallery with others present in the courtroom, and said in an angry voice: "If you think you are going to get money out of this case, you've got shit for brains. If you want war, you'll get war. And if you still think you're going to get money, I've got a Brooklyn Bridge I can sell you." Judge Williams went into chambers, then emerged, apologized to the attorneys for his language, and stated words to the effect of: "No jury I know of is going to give you money for this case. I'll set it for 1999 and make sure it goes nowhere. You did not want to settle, so now you are my enemy." Judge Williams then indicated an intent to sanction plaintiffs' counsel if the plaintiffs lost at trial and told Mr. Lloyd that he had no respect for him. Others were present in the courtroom during these remarks.

On the next business day, November 20, attorneys Lloyd and Moreno appeared in Judge Williams' court and filed motions to disqualify him. Judge Williams suggested that the motions be withdrawn. After the attorneys declined to do so, Judge Williams recused himself and stated words to the effect of: "Well, now I don't have anything to do with your case and you can leave. I just told the truth. This case is worth nothing and now you'll get a judge who's been disqualified three times from other cases and I hope you enjoy that environment. You will not find another judge who will show the patience and give you the time that I did." When Mr. Lloyd attempted to speak, Judge Williams responded to the effect: "This is my courtroom and you have nothing to say here. Get out." Mr. Lloyd then stated: "You said, 'This case is not about money and you've got shit for brains.' We weren't asking for money." Judge Williams responded, "Well, I was half right."

Judge Williams' conduct, as described above, involved vulgar, abusive and demeaning language toward attorneys and constituted an improper display of personal hostility and embroilment. (See, e.g., *Spruance v. Commission on Judicial Qualifications* (1975) 13 Cal.3d 778, 789, 797 [giving the "finger" to a defendant as constituting conduct prejudicial to the administration of justice that brings the judicial office into disrepute; making a "raspberry" sound, during witness testimony, as willful misconduct].)

Judge Williams' abusive and hostile actions toward counsel reflected adversely on his judicial office. In accordance with the California Code of Judicial Conduct in effect at the time of Judge Williams' conduct, judges are expected to be impartial, patient, dignified and courteous when dealing with litigants and lawyers on matters pending before them (canon 3B). Even quasi-judicial activities must be conducted in a manner that does not demean the judicial office or interfere with the proper performance of judicial duty (canon 4A).

In determining that public admonishment is the appropriate disposition in this matter, the commission has taken into account representations from individuals whose recent experiences with Judge Williams have led them to the view that there has been substantial improvement in his judicial demeanor and temperament, as well as Judge Williams' own assurances that he has taken corrective measures to ensure that he will refrain from improper conduct in the future.

The vote of the commission on issuance of the public admonishment was 7 ayes and 0 noes (three members were absent and one did not participate).